

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

Gary Lamont Robinson,)
a/k/a Gary L. Robinson,)
a/k/a Gary Robinson,)
)
Plaintiff,)
)
vs.)
)
Michael McCall, Warden; and)
Chris Florian, Officer of General Counsel,)
)
Defendants.)
_____)

Civil Action No. 4:13-cv-01572-TLW

ORDER

The Plaintiff, Gary Lamont Robinson, (“Plaintiff”), brought this civil action, *pro se*, alleging violations of his constitutional rights pursuant to 42 U.S.C. § 1983 on or about June 11, 2013. (Doc. # 1).

The matter now comes before this Court for review of the Report and Recommendation (“the Report”) filed on March 17, 2014 by United States Magistrate Judge Thomas E. Rogers, III, to whom this case had previously been assigned pursuant to the provisions of 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2)(d) (D.S.C.). (Doc. #75). In the Report, the Magistrate Judge recommends that this Court grant the Defendants’ Motion for Summary Judgment (Doc. #38) and dismiss the above-captioned case. (Doc. #75). Plaintiff filed timely Objections to the Report on April 4, 2014 (Doc. #77), to which the Defendants replied on April 8, 2014 (Doc. #79).

This Court is charged with conducting a de novo review of any portion of the Magistrate Judge’s Report to which a specific objection is registered, and may accept, reject, or modify, in

whole or in part, the recommendations contained in that report. 28 U.S.C. § 636. In conducting this review, the Court applies the following standard:

The magistrate judge makes only a recommendation to the Court, to which any party may file written objections...The Court is not bound by the recommendation of the magistrate judge but, instead, retains responsibility for the final determination. The Court is required to make a *de novo* determination of those portions of the report or specified findings or recommendation as to which an objection is made. However, the Court is not required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the Report and Recommendation to which no objections are addressed. While the level of scrutiny entailed by the Court's review of the Report thus depends on whether or not objections have been filed, in either case, the Court is free, after review, to accept, reject, or modify any of the magistrate judge's findings or recommendations.

Wallace v. Housing Auth. of the City of Columbia, 791 F. Supp. 137, 138 (D.S.C. 1992) (citations omitted).

In light of the standard set forth in Wallace, the Court has reviewed, de novo, the Report, the Plaintiff's Objections, and all other relevant filings. After careful review of the Report and Objections thereto, the Court **ACCEPTS** the Magistrate Judge's Report and Recommendation (Doc. #75). Accordingly, the Defendants' Motion for Summary Judgment (Doc. #38) is **GRANTED** and this case is dismissed.

IT IS SO ORDERED.

s/Terry L. Wooten
TERRY L. WOOTEN
Chief United States District Judge

August 6, 2014
Columbia, South Carolina